

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MANNY LOPEZ,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:11-CV-891 (CEJ)
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	

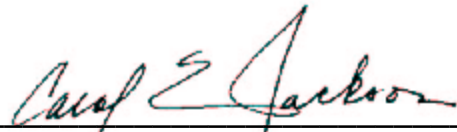
MEMORANDUM AND ORDER

Plaintiff brings this action under the Federal Tort Claims Act (FTCA), 28 U.S.C. §§ 2671 *et seq.*, to recover damages for injuries he allegedly sustained in a collision with a United States Postal Service vehicle.¹ The defendant moves to strike plaintiff's jury demand.

There is no right to a jury trial under the FTCA. See Carlson v. Green, 446 U.S. 14, 22 (1990) ("[A] plaintiff cannot opt for a jury in an FTCA action") (citing 28 U.S.C. § 2402).

Accordingly,

IT IS HEREBY ORDERED that defendant's motion to strike plaintiff's jury demand [Doc. # 55] is granted.



CAROL E. JACKSON
UNITED STATES DISTRICT JUDGE

Dated this 17th day of April, 2013.

¹Plaintiff's negligence claim against defendant Shea Pyron was disposed of through summary judgment and the sole claim remaining for trial arises under the FTCA.